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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Knyphausen et al.

Group Art Unit: Unassigned

Serial No.: 09/975,084

Examiner: Unassigned

Filed: October 12, 2001

Atty. Dkt. No. 004832.00068

For: CLIENT-DRIVEN WORKLOAD ENVIRONMENT

RESPONSE TO NOTICE TO FILE MISSING PARTS

**BOX MISSING PARTS**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Responsive to the U.S. Patent and Trademark Office "Notice To File Missing Parts Of Nonprovisional Application" mailed November 15, 2001, Applicants are hereby submitting the executed declaration for filing in the subject application. Accordingly, it is respectfully requested that a filing date of October 12, 2001, be granted to this application which is the filing date the original specification and drawings were filed with the Patent and Trademark Office.

The Commissioner is authorized to charge \$954.00 to cover the following to Deposit Account No. 19-0733:

\$740.00 – Fee for basic filing fee

\$130.00 – Surcharge for late Declaration.

\$ 84.00 – Additional claim fee.

Knyphausen et al. – U.S. Application No. 09/975,084

In the event any variance exists between the amount authorized and the Patent Office charges, please charge any difference to Deposit Account 19-0733.

Respectfully submitted,

By:

Joseph M. Potenza

Registration No. 28,175

*OBlemboch*  
*for* *B-38.800*

BANNER & WITCOFF, LTD.  
1001 G Street, N.W. – 11<sup>th</sup> Floor  
Washington, D.C. 20001  
Telephone: 202/508-9100

Dated: .. March 11, 2002

ZS



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MAR 11 2002  
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/975,084	10/12/2001	Knyphausen	004832.00068

## CONFIRMATION NO. 7677

22907  
BANNER & WITCOFF  
1001 G STREET N W  
SUITE 1100  
WASHINGTON, DC 20001

## FORMALITIES LETTER



\*OC000000007075239\*

Date Mailed: 11/15/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/14/2002 SZEWDIE1 00000061 190733 09975084

01 FC:105 130.00 CH  
02 FC:101 740.00 CH  
03 FC:102 84.00 CH

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$84.  
■ \$84 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 954.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

Adjustment date: 05/07/2002 VTRUONG1  
04/17/2002 SDENBOB1 00000054 190733 09975084

130.00 CR

01 FC:105

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*A copy of this notice **MUST** be returned with the reply.*

*Bern T. Bratton*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**FEET TRANSMITTAL  
for FY 2002**

*O I P E J C I  
MAR 11 2002  
Patent Trademark*

Patent fees are subject to annual revision.

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> 1394
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<b>Complete if Known</b>	
Application Number	09/975,084
Filing Date	October 12, 2001
First Named Inventor	Knyphausen et al.
Examiner Name	Unassigned
Group / Art Unit	Unassigned
Attorney Docket No.	004832.00068

<b>METHOD OF PAYMENT (check all that apply)</b>				<b>FEES CALCULATION (continued)</b>																																																																																																																																																																																														
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number <input type="text" value="19-0733"/>  Deposit Account Name <input type="text" value="Banner &amp; Witcoff"/>				<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td>400</td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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<b>SUBMITTED BY</b>						<b>Complete (if applicable)</b>	
Name (Print/Type)	Joseph M. Potenza	Registration No. Attorney/Agent)	28,175	Telephone	202 508-9100		
Signature	<i>Joseph M. Potenza</i>			Date	3/11/02		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.